



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY



CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 2, 2023

Mr. John Moore
Environmental Superintendent
Western Refining Southwest LLC
92 Giant Crossing
Gallup, New Mexico 87301

**RE: 2023 ANNUAL FEE
WESTERN REFINING SOUTHWEST LLC - GALLUP REFINERY
EPA #NMD000333211**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has established the 2023 Annual Fee for your facility pursuant to the Hazardous Waste Permit and Corrective Action Fee Regulations, 20.4.2 NMAC. In accordance with 20.4.2.201.A NMAC, the enclosed tables were developed from the facility permit, Part A application, or enforceable document. The tables are formatted accordingly: 1) Table A – Hazardous Waste Management Activities; 2) Table B - Corrective Action; and 3) Table C - Summary of Units.

Enclosed is the invoice for the 2023 Annual Fee, based on your facility's status as of January 1, 2023, pursuant to 20.4.2.211 NMAC which states: "The annual fee shall be assessed for each unit identified in the facility permit, Part A application, and enforceable document on January 1 of the assessed year." Under the provisions of 20.4.2.301.C NMAC "[p]ayment shall be due within sixty (60) days of receipt of the invoice unless the facility submits to NMED a written request seven (7) days prior to the end of the sixty (60) day period and receives written approval to extend the time for payment before the date payment is due."

Under the provisions of 20.4.2.302.A NMAC, "any owner or operator seeking to appeal an invoice for fees under this part must first notify the NMED in writing of the intent to appeal the invoice within thirty (30) calendar days of receipt of the invoice. The notice shall set forth the specific matters in dispute, the basis for the dispute, and any matters considered necessary for NMED's consideration. The parties shall have thirty (30) calendar days from NMED's receipt of notification to meet or confer with NMED to attempt to resolve the matters in the dispute. The secretary may extend deadlines under this section upon a determination that good cause exists. If an agreement is reached resolving the dispute, NMED may issue a revised invoice and the owner and operator shall comply with the terms of such agreement and revised invoice. If an agreement is not reached, NMED shall issue a notification to all parties that an agreement

SCIENCE | INNOVATION | COLLABORATION | COMPLIANCE

Hazardous Waste Bureau - 2905 Rodeo Park Drive, Bldg. 1, Santa Fe, New Mexico 87505 - (505) 476-6000
www.env.nm.gov

Mr. Moore
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has not been reached. Failure to notify NMED of an appeal in the required timeframe shall prohibit the owner and operator from appeal of the invoice.”

If payment is by check, then you must provide the invoice number on the check. If payment is transmitted electronically, then you must submit a letter to Ms. Vanessa Baros, NMED Hazardous Waste Bureau, indicating the invoice number, payment amount, and the assessed activity prior to transferring funds.

Should you have questions concerning this Annual Fee please contact me at (505) 690-5469.

Sincerely,



Neelam Dhawan
Acting Program Manager
Hazardous Waste Bureau

Attachments: Invoice and Tables

cc: N. Dhawan, NMED HWB
J. Sanchez, NMED HWB
V. Baros, NMED HWB
L. Andres, NMED HWB
M. Suzuki, NMED HWB

File: 2023 WRG, 2023 Annual Fee



**New Mexico
Environment Department
Hazardous Waste Bureau**

**Western Refining Southwest
Gallup
92 Giant Crossing Rd.
Gallup, NM 87301
Attn: John Moore**

10/2/2023

**Invoice # - HWB-WRG-23-AF
Western Refining Gallup 2022 Annual Fee**

Quantity	Item	Item Cost	Total Cost
26	SWMU / AOC -per unit	\$1,000.00	\$26,000.00
1	Post Closure Unit	\$5,500.00	\$5,500.00
		Total Fees	\$31,500.00
		Adjustment	\$0.00
		Pay This Amount	\$31,500.00

Make Checks Payable to: NMED/HWB

Mail Checks and Invoice to:

**New Mexico Environment Department, HWB
Attn: Bureau Financial Manager
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505**

When you provide a check as payment, you authorize the State of New Mexico to either use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

TABLE A
Western Refining Southwest LLC - Gallup Annual Fee
HAZARDOUS WASTE MANAGEMENT ACTIVITIES

Unit ID No.	Unit Type/Description	Process	Comments	Fee
LDF 1	Land Treatment Unit	Post-Closure		\$5,500.00
Total Annual Fee:				\$5,500.00

TABLE B
Western Refining Southwest LLC - Gallup Annual Fee
CORRECTIVE ACTION

Count	Unit ID No.	Unit Type/Description	Comments	Fee
1	SWMU 1	Aeration Basin		\$1,000.00
2	SWMU 2	Evaporation Ponds		\$1,000.00
3	SWMU 3	Empty Container Storage Area		\$1,000.00
4	SWMU 4	Old Burn Pit		\$1,000.00
5	SWMU 5	Landfill Areas		\$1,000.00
6	SWMU 6	Tank Farm		\$1,000.00
7	SWMU 7	Fire Training Area		\$1,000.00
8	SWMU 8	Railroad Rack Lagoon		\$0.00
9	SWMU 9	Drainage Ditch Near Inactive Landfarm		\$1,000.00
10	SWMU 10	Sludge Pits		\$1,000.00
11	SWMU 11	Secondary Oil Skimmer		\$1,000.00
12	SWMU 12	Contact Wastewater Collection System		\$1,000.00
13	SWMU 13	Drainage Ditch between API Evaporation Ponds and Neutralization Tank Evaporation Ponds		\$1,000.00
14	SWMU 14	API Separator		\$1,000.00
15	AOC 15	New API Separator		\$1,000.00
16	AOC 16	New API Separator Overflow Tanks		\$1,000.00
17	AOC 17	Railroad Loading/Unloading Facility		\$1,000.00
18	AOC 18	Asphalt Tank Farm (tanks 701-709, 713, 714)		\$1,000.00
19	AOC 19	East Fuel Oil Loading Rack		\$0.00
20	AOC 20	Crude Slop (Transmix) and Ethanol Unloading Facility		\$0.00
21	AOC 35	Main Loading Racks/ Crude Slop (Transmix) and Ethanol Unloading Facility/Loading Rack Additive Tank Farm/ Retail Fuel Tank Farm (tanks 1-7, 912, 913, 1001, 1002)		\$1,000.00
22	AOC 22	Loading Rack Additive Tank Farm		\$0.00
23	AOC 23	Retail Fuel Tank Farm (tanks 1-7, 912, 913, 1001, 1002)		\$0.00
24	AOC 24	Crude Oil Tank Farm (tanks 101 and 102)		\$1,000.00
25	AOC 25	Tank 573 (Kerosene tank)		\$0.00
26	AOC 26	Process Units		\$1,000.00
27	AOC 27	Boiler and Cooling Unit Area		\$1,000.00
28	AOC 28	Warehouse and Maintenance Shop Area		\$1,000.00
29	AOC 29	Equipment Yard and Drum Storage Area		\$1,000.00
30	AOC 30	Laboratory		\$1,000.00
31	AOC 31	Tanks 27 and 28		\$1,000.00

TABLE B
Western Refining Southwest LLC - Gallup Annual Fee
CORRECTIVE ACTION

Count	Unit ID No.	Unit Type/Description	Comments	Fee
32	AOC 32	Flare and Ancillary Tanks (tanks Z85V2, V85V3, Z84-T105)		\$0.00
33	AOC 33	Storm Water Collection System		\$0.00
34	AOC 34	Scrap Yard		\$1,000.00
			Total Annual Fee:	\$26,000.00

TABLE C
Western Refining Southwest LLC - Gallup Annual Fee
SUMMARY OF UNITS

Number of Units	Unit Type	Fee
0	Disposal	\$0.00
0	Treatment	\$0.00
0	Storage	\$0.00
1	Post Closure Care	\$5,500.00
0	Corrective Action Management Unit	\$0.00
0	Temporary Unit	\$0.00
0	Remedial Action Plan Unit	\$0.00
26	Corrective Action	\$26,000.00
Total Annual Fee:		\$31,500.00